IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE JURISDICTION

WRIT PETITION NO.10541 OF 2004

Vinod Ramchandra Keshwan ..Petitioner

vs

1. Union ofIndia & anr .. Respondents

Mr.H.S.S.Murthy with Mr.S.P.Munghate for Petitioner
Mr.J.S.Saluja, with Mr.Nemesh Sharma i/b M.V.Kini & Co for Respondents ..

CORAM : B.H.MARLAPALLE, J

DATE: 23rd September, 2005

P.C.

1. Heard learned counsel for the petitioner who has impugned award dated 17th May, 2004 passed by the learned Presiding Officer of the Central Government Industrial Tribunal No.1 Mumbai. It appears that that there were 3 applications representing 3 sets of workmen for interim relief and they have been dismissed by the impugned

interlocutory order. Learned counsel for the petitioner states that the petitioner's name is in the group of 18 workmen represented by Mr.M.S.Todenkar Advocate and in the impugned award the learned Presiding Officer of the tribunal has observed that the petitioner was not in service of the company and therefore his claim for grant of interim relief was rejected.

2. These observations in the impugned order are in a prima facie nature and it does not act as a estoppel against the petitioner to prove therwise during the trial of the main petition by leading evidence.

3. Save and except the above clarification the petition is rejected summarily.

(B.H.Marlapalle, J)